

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

v.

DIOMED HOLDINGS, INC., et al.,

**ORDER GRANTING IN PART AND
DENYING IN PART JOINT STIPULATED
MOTION FOR ADMINISTRATIVE RELIEF
TO FILE DOCUMENTS UNDER SEAL
(DOCKET NO. 459)**

Defendants

_____ /

Before the Court is the parties' Joint Stipulated Motion for Administrative Relief to File Documents Under Seal, filed October 11, 2007, by which plaintiff seeks leave to file under seal unredacted versions of certain documents submitted in opposition to defendants' Motion in Limine No. 4. Having reviewed the parties' submissions in support of the motion, the Court rules as follows:

1. The motion is GRANTED in part, specifically, as to the following documents that plaintiff has shown contain material properly filed under seal, (see Kertz Decl., filed October 11, 2007):

- a. Plaintiff's Opposition to Defendants' Motion in Limine No. 4; and
- b. Exhibits 9, 12-14, and 18-19 to the Declaration of Suong T. Nguyen in Support of Plaintiff's Opposition to Defendants' Motion in Limine No. 4.

1 2. The motion is DENIED in part, specifically, with respect to Exhibits 1-4 to the
2 Declaration of Suong T. Nguyen in Support of Plaintiff's Opposition to Defendants' Motion
3 in Limine No. 4, because defendants have not, within the time provided by Civil Local Rule
4 79-5(d), submitted a supporting declaration; the Clerk is directed to file said exhibits in the
5 public record.

6 **IT IS SO ORDERED.**

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8 Dated: October 23, 2007


MAXINE M. CHESNEY
United States District Judge